

***United States Court of Appeals  
for the Second Circuit***



**JOINT APPENDIX**



76-4184

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

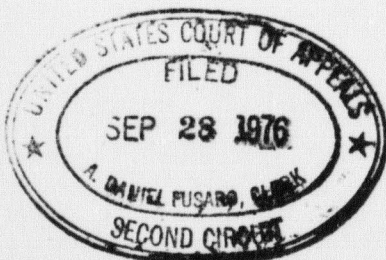
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DOCKET NO. 76-4184

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JOINT APPENDIX

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<u>DOCUMENT No.</u>	<u>DESCRIPTION</u>	<u>PAGE No.</u>
1	Letter from Andrew McR. Barnes to Mr. George Fitzsimmons dated June 6, 1976	1
3	NASD Record Document No. 1:  Report of Filing of Complaint, dated August 10, 1973, Notice of Complaint and Complaint, all of which comprise Complaint No. NY-1781 in District No. 12, Torple & Saltzman, Inc. vs John Muir & Co., Shaskan & Co., Inc., Meyer Buchman, Joseph Buchman, Sidney R. Buchman, Victor Zrike, Stanley L. Bartels, Contemporary Securities Corp., Jeffrey Greenberg and Abraham Pardes.	6 - 19
4	NASD Record Document No. 2:  Report of Filing of Complaint, dated August 13, 1973, Notice of Complaint and Complaint, all of which comprise Complaint No. NY-1783 in District No. 12, John Muir & Co. vs Shaskan & Co., Inc., Meyer Buchman, Joseph Buchman, Sidney R. Buchman, Victor Zrike and Stanley L. Bartels.	20 -29
6	NASD Record Document No. 4:  Report of Filing of Answer, dated August 17, 1973, and answer of John Muir & Co. to Complaint No. NY-1781, dated August 16, 1973.	37 -41
9	NASD Record Document No. 7:  Report of Filing of Answer, dated August 23, 1973, and Answers of Shaskan & Co., Inc., Meyer Buchman, Joseph Buchman, Sidney Buchman, Victor Zrike and Stanley Bartels to Complaints No. NY-1781 and 1783.	47 -51
12	NASD Record Document No. 10:  Transcript of hearing held on April 3, 1974 and May 15, 1974, before District Business Conduct Committee No. 12 in Complaints No. NY-1781, 1783 and 1784.	67-252

<u>DOCUMENT No.</u>	<u>DESCRIPTION</u>	<u>PAGE No.</u>
16	NASD Record Document No. 14:  Muir's Exhibit No. 1, being notice, dated May 18, 1973, by Shaskan & Co., Inc. of non-acceptance of trades in Crystalography pending SEC action.	288
19	NASD Record Document No. 17:  Muir's Exhibit No. 4, being confirmation, dated October 5, 1972, from Torple & Saltzman to John Muir & Co. for sale by John Muir & Co. as broker for Torple & Saltzman of 500 Crystalography at 10-1/2 for \$5,168.75.	291
20	NASD Record Document No. 18:  Muir's Exhibit No. 5, being confirmation, dated October 5, 1972, from John Muir & Co. to Torple & Saltzman for sale by John Muir & Co. as broker for Torple & Saltzman of 500 Crystalography at 10-1/2 for \$5,176.25 and showing 200 going to Contemporary Securities and 300 to Shaskan & Co.	292-293
21	NASD Record Document No. 19:  Shaskan's Exhibit A, being Securities Exchange Act Release No. 7929, dated July 19, 1966, relating to Consummation of Securities Transactions by Broker/Dealers when Trading is Suspended.	294
22	NASD Record Document No. 20:  Shaskan's Exhibit B, being Securities Exchange Act Release No. 9815, dated October 11, 1972, relating to the temporary suspension of over-the-counter trading in the securities of Crystalography Corporation.	295
24	NASD Record Document No. 22:  Shaskan's Exhibit D, being Securities Exchange Act Release No. 10156, dated May 17, 1973, announcing that the suspension of trading in the securities of Crystalography Corporation would terminate at midnight May 18, 1973.	305-306

<u>DOCUMENT No.</u>	<u>DESCRIPTION</u>	<u>PAGE No.</u>
25	NASD Record Document 23:  Shaskan's Exhibit E, being letter dated May 18, 1973, to the Securities and Exchange Commission, signed by Joel Buchman, requesting clarification as to what "necessary measures" should be taken by broker/dealers to assure themselves that they are not unknowingly furthering a manipulative scheme in effecting a consummation of open contracts.	307-308
26	NASD Record Document No. 24:  Shaskan's Exhibit F, being letter dated June 19, 1973, to Joel Buchman, signed by Richard S. Kraut, Special Counsel for the Securities and Exchange Commission, indicating past pronouncements on the suspension issue and some measures which might be taken by broker/dealers to help assure that they are not involved in manipulative activity or other violations.	309-311
27	NASD Record Document No. 25:  Shaskan's Exhibit G, being Final Judgment Of Permanent Injunction By Consent entered by the United States District Court for The Southern District of New York against Shaskan & Co. and Joseph Buchman on July 11, 1973.	312-320
28	NASD Record Document No. 26:  Report of Disposition of Complaint, dated June 28, 1974, Notice of Decision and Decision of District Business Conduct Committee No. 12 in Complaints No. NY-1781, 1783 and 1784.	321-346
35	NASD Record Document No. 33:  Transcript of hearing held September 5, 1974 before the Board of Governors of the NASD in Complaints Nos. NY- 1781, NY-1783 and NY-1784.	357-414
36	NASD Record Document No. 34:  Decision of the NASD Board of Governors, dated April 30, 1975 in Complaints Nos. NY-1781, NY-1783 and NY-1784.	415-421

<u>DOCUMENT No.</u>	<u>DESCRIPTION</u>	<u>PAGE No.</u>
40	Letter from Mr. Fitzsimmons to Mr Buchman dated May 29, 1975 concerning application seeking review of NASD action.	425
42	Statement of Shaskan & Co., Joseph Buchman, and Meyer Buchman, dated June 27, 1975, objecting to the NASD decision of April 30, 1975.	427-428
45	Brief of NASD in opposition to Application For Review, dated August 13, 1975.	431-457
46	Letter from Joseph Buchman to Mr. George Fitzsimmons, Secretary, Securities and Exchange Commission, dated May 16, 1976.	458
47	Findings, Opinion and Order of Securities and Exchange Commission dated May 28, 1976.	459-464

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CERTIFICATE OF SERVICE

IN THE MATTER OF  
SIDNEY BUCHMAN & JOSEPH BUCHMAN  
AGAINST  
SECURITIES AND EXCHANGE COMMISSION

We hereby certify that on the 28th day of September 1976  
we caused to be served by U.S. Registered Mail on the Securities  
and Exchange Commission 2 true copies of Brief and Joint Appendix  
in the above matter.

Respectfully submitted,

  
SIDNEY BUCHMAN & JOSEPH BUCHMAN